

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

WILLIAM L. HICKS,

Petitioner,

vs.

STATE OF WASHINGTON,

Respondent.

NO. CV-10-5126-LRS

ORDER DISMISSING PETITION

By Order filed November 10, 2010, the court advised Mr. Hicks of the deficiencies of his habeas petition and directed him to amend. Petitioner, who is proceeding *pro se* and *in forma pauperis*, notified the court of his release from incarceration on October 22, 2010. Mr. Hicks did not respond to the court's directives and has filed nothing further in this action.

Accordingly, for the reasons set forth in the previous Order (ECF No. 6), **IT IS ORDERED** the Petition is **DISMISSED without prejudice**. The District Court Executive shall enter this Order, enter judgment, forward a copy to Petitioner and close the file. The court further certifies that pursuant to 28 U.S.C. § 1915(a)(3), an appeal from this decision could not be taken in good faith, and there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); Fed. R.App. P. 22(b).

DATED this 22nd day of February, 2011.

s/Lonny R. Suko

LONNY R. SUKO
UNITED STATES DISTRICT JUDGE